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CESARI AND MCKENNA, LLP 88 BLACK FALCON AVENUE BOSTON, MA 02210				PHAM, MICHAEL
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/627,191	NEWMAN ET AL.	
	Examiner	Art Unit	
	MICHAEL PHAM	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 10 June 2008.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-21 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-21 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) Notice of Informal Patent Application

6) Other: _____.

DETAILED ACTION

Claim Status

1. Claims 1-21 are pending.
2. Claims 1-21 have been examined.

Specification

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: computer storage media is not in the specification.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 20-21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

MPEP 2106:

The claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 U.S.C. 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best functional descriptive material *per se*.

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material". Both types of "descriptive material" are nonstatutory when claimed as descriptive material *per se*, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of

technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)

Merely claiming nonfunctional descriptive material, i.e. abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See *Diehr*, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in *Benson* were unpatentable as abstract ideas because "[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer"

Claim 20 recites "a database management system". However, claim 20 fails to contain any computer hardware that is used to implement the system so as to realize its functionality. Thus, the body of claim 20 is merely an abstract idea and is being processed without any links to a practical result in the technology arts and without any computer hardware manipulation. Contrary to arguments made by some Applicants, use of the word "system" does not inherently mean that the claim is directed to a machine. Only if at least one of the claimed elements of the system is a physical part of a device can the system as claimed constitute part of a device or a combination of devices to be a machine within the meaning of 101.

Furthermore, while the claim now recites "which is retained in computer storage media"; the "computer storage media" is not an element of the claimed system, but instead is, at best, for use with the claimed system.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary

skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 6295527 by McCormick et. al. (hereafter McCormick) further in view of U.S. Patent 6098067 by Alan K. Erickson (hereafter Erickson).

Claim 1:

McCormack discloses the following claimed limitations:

“B. including, in a group mapping table, one or more fields for the primary grouping criteria and one or more fields for the secondary grouping criteria, and including in those fields, in respective table records, values corresponding to the selected computer profile data that are utilized in the primary grouping and the secondary grouping criteria with the values associated with either or both of the primary grouping criteria and the secondary grouping criteria being ranges that extend between selected high and low values;”[B. including, in a group mapping table (group device table, figure 2 element 330), one or more fields for the primary grouping criteria (figure 2 element 330, group id/ col. 12 lines 6-24, device identifiers, 7300/7500) and one or more fields for the secondary grouping criteria (figure 2 element 330, group description/ col. 12 lines 6-24, device descriptions, IOS software version), and including in those fields, in respective table records (figure 2, tables), values corresponding to the selected computer profile data (col. 3 line 8, device data) that are utilized in the primary grouping and the secondary grouping criteria with the values associated with either or both of the primary grouping criteria and the secondary grouping criteria being ranges (col. 12 lines 6-24, 7300/7500; version

10.3/11.1) that extend between selected high and low values (col. 12 lines 6-24, 7300/7500; 10.3/11.1)]

“C. further including, in the respective table records, information that identifies the groups to which the computers that satisfy the primary and secondary criteria are assigned;”[col. 8 lines 65-67, using this structure, a user can establish a descriptive name for a group of devices, and persistently store either the members of the group, or information sufficient to dynamically construct the members of the group when the user desires to have a view of the group.

Accordingly, C. further including, in the respective table records, information that identifies the groups (group) to which the computers that satisfy the primary and secondary criteria are assigned (information).]

“D. receiving, for inclusion in the database, computer profile data from a plurality of computers;”[

col. 11 lines 5-7 inventory polling process periodically polls the network, receives information about the network devices, and stores values derived from that information in a column of managed device table. Hence, McCormick suggests "D. receiving, for inclusion in the database, computer profile data from a plurality of computers" (stores network device information)]

“E. for the profile data from a given computer extracting the selected profile data that are utilized in the primary groupings and the secondary groupings,”

querying the group mapping table to determine if the extracted profile data correspond to or fall within the ranges of the respective values that are included in the primary grouping fields and the secondary grouping fields in any of the records in the table, and

if the query results in no records, assigning the computer to a default group,

if the query results in one table record, assigning the computer to the group that is named in the record,

if the query results in multiple table records that include secondary low values, assigning the computer to the group that is named in the record that is in a first predetermined position in the order in which the records are returned, or

if the query results in multiple records and there are no corresponding secondary low values in the records, assigning the computer to the group that is named in the record that is in a second predetermined position in the order in which the records are returned; and" [McCormick discloses Col. 12 lines 17-19, applies the query to the database, which stores a super set of network device information. Further disclosing col. 8 lines 59-67-col. 9 lines 1-5, user can establish a descriptive name for a group of devices and store members of the group. Hence McCormick suggest E. for the profile data from a given computer "Extracting the selected profile data that are utilized in the primary groupings and the secondary groupings" (Col. 12 lines 17- 19, applies the query to the database, which stores a super set of network device information), "querying the group mapping table to determine if the extracted profile data correspond to or fall within the ranges of the respective values that are included in the primary grouping fields and the secondary grouping fields in any of the records in the table" (col. 12 lines 16-21, applies query) and, "if the query results in one table record, assigning the computer to the group that is named in the record" (col. 8 lines 65-67, using this structure user can establish a

descriptive name for a group of devices and persistently store the members of the group (i.e. assigns device to group)).]

“F. manipulating the computer profile data from the database and producing, for a selected group level, reports that contain summaries of certain or all of the attributes of the computers in that are in the selected group level or below.”[Figure 1 and 3. col. 16 lines 38-61. Accordingly disclosing F. manipulating the computer profile data (device data) from the database (database 106) and producing, for a selected group level (device group), reports (reporting tasks) that contain summaries of certain or all of the attributes of the computers (figure 3) in that are in the selected group level or below (device group)]

McCormick does not explicitly disclose “A. determining a multiple node tree structure of groups for the computers, in which each node is a group level and a top level is a root, based on primary grouping criteria and secondary grouping criteria that correspond to selected computer profile data;” and

“in the tree”

On the other hand, Erickson discloses the above limitation in figure 5 elements 501-507, and col. 5 lines 66-67. Accordingly, disclosing a. determining a multiple node tree structure of groups for the computers (figure 5 element 501), in which each node is a group level (figure 5 elements 505, 506, and 507) and a top level is a root (figure 5 element 504), based on primary grouping criteria (col. 5 lines 66-67, language) and secondary grouping criteria (col. 5 lines 66-

67, processor type) that correspond to selected computer profile data (figure 5 elements 502, 503) and “in the tree” (figure 5 element 501).

Both McCormack and Erickson are related in that both group devices together. For the above reasons, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erickson's disclosure above to the disclosure of McCormack in order to provide a system that allows a user to easily view different groups in a collapsible fashion.

Claim 2 :

The combination of McCormick and Erickson disclose in McCormack "wherein one or more table records includes secondary grouping values set to NULL" (col. 10 line 41, Null filter values are possible).

Claim 3 :

The combination of McCormick and Erickson disclose in McCormack "wherein the respective values associated with the primary grouping criteria are ranges and the step of determining if the extracted data correspond to the respective values further includes determining if the corresponding extracted data falls within one of the primary grouping ranges" (col. 10 lines 51-55, limit the scope of the filters so that the result set or view is reasonable in size, finite, and rapidly assembled.).

Claim 4 :

The combination of McCormick and Erickson disclose in McCormack "wherein the values associated with the secondary grouping criteria are ranges and the step of determining if the extracted data correspond to the values further includes determining if the corresponding extracted data of interest falls within one of the secondary grouping ranges" (col. 10 lines 51-55, limit the scope of the filters so that the result set or view is reasonable in size, finite, and rapidly assembled.).

Claim 5 :

The combination of McCormick and Erickson disclose in McCormack "wherein the step of querying further includes determining if the extracted data corresponds to the primary grouping criteria and a secondary low value of NULL or the empty string" (col. 10 line 41, Null filter values are possible).

Claim 6 :

The combination of McCormick and Erickson disclose in McCormack "The method of claim 1 wherein the primary and secondary grouping criteria correspond to user-specified values of the selected computer profile data." (abstract line 11, user-entered criteria)

Claim 7 :

McCormick discloses the following claimed limitations:

“B. including, in a group mapping table, fields for the ranges of values of the selected computer profile data that are the primary grouping criteria, and including in those fields, in respective table records, high and low values for the ranges of the selected computer profile data;” [B. including, in a group mapping table (group device table, figure 2 element 330), one or more fields for the primary grouping criteria (figure 2 element 330, group id/ col. 12 lines 6-24, device identifiers, 7300/7500) and one or more fields for the secondary grouping criteria (figure 2 element 330, group description/ col. 12 lines 6-24, device descriptions, IOS software version), and including in those fields, in respective table records (figure 2, tables), values corresponding to the selected computer profile data (col. 3 line 8, device data) that are utilized in the primary grouping and the secondary grouping criteria with the values associated with either or both of the primary grouping criteria and the secondary grouping criteria being ranges (col. 12 lines 6-24, 7300/7500; version 10.3/11.1) that extend between selected high and low values (col. 12 lines 6-24, 7300/7500; 10.3/11.1)]

“C. further including, in the table records, information that identifies the groups to which the computers that satisfy the primary grouping criteria are assigned;” [col. 8 lines 65-67, using this structure, a user can establish a descriptive name for a group of devices, and persistently store either the members of the group, or information sufficient to dynamically construct the members of the group when the user desires to have a view of the group. Accordingly, C. further including, in the respective table records, information that identifies the groups (group) to which the computers that satisfy the primary and secondary criteria are assigned (information).]

“D. receiving, for inclusion in the database, computer profile data from a plurality of computers;” [

col. 11 lines 5-7 inventory polling process periodically polls the network, receives information about the network devices, and stores values derived from that information in a column of managed device table. Hence, McCormick suggests "D. receiving, for inclusion in the database, computer profile data from a plurality of computers" (stores network device information)]

"E. for the profile data from a given computer

extracting the selected profile data that is utilized in the primary grouping, querying the group mapping table to determine if the extracted data fall within the ranges of values that are included in the primary grouping fields in any of the table records, and

if the query results in no records, assigning the computer to a default group,

if the query results in one table record, assigning the computer to the group that is named in the record, or

if the query results in multiple table records assigning the computer to the group that is named in the record that is in a first predetermined position in the order in which the records are returned; and" [McCormick discloses Col. 12 lines 17-19, applies the query to the database, which stores a super set of network device information. Further disclosing col. 8 lines 59-67-col. 9 lines 1-5, user can establish a descriptive name for a group of devices and store members of the group. Hence McCormick suggest E. for the profile data from a given computer "Extracting the selected profile data that are utilized in the primary groupings and the secondary groupings" (Col. 12 lines 17- 19, applies the query to the database,

which stores a super set of network device information), "querying the group mapping table to determine if the extracted profile data correspond to or fall within the ranges of the respective values that are included in the primary grouping fields and the secondary grouping fields in any of the records in the table" (col. 12 lines 16-21, applies query) and, "if the query results in one table record, assigning the computer to the group that is named in the record" (col. 8 lines 65-67, using this structure user can establish a descriptive name for a group of devices and persistently store the members of the group (i.e. assigns device to group)).]

"F. manipulating the computer profile data from the database and producing, for a selected group level, to reports that summarize the attributes of the computers that are in the selected group level or below." [Figure 1 and 3. col. 16 lines 38-61. Accordingly disclosing F. manipulating the computer profile data (device data) from the database (database 106) and producing, for a selected group level (device group), reports (reporting tasks) that contain summaries of certain or all of the attributes of the computers (figure 3) in that are in the selected group level or below (device group)]

McCormick does not explicitly disclose "A. determining a multiple node tree structure of groups for the computers, in which each node is a group level and a top level is a root, based on primary grouping criteria that correspond to ranges of values of selected computer profile data;" and "in the tree"

On the other hand, Erickson discloses the above limitation in figure 5 elements 501-507, and col. 5 lines 66-67. Accordingly, disclosing a. determining a multiple node tree structure of groups for the computers (figure 5 element 501), in which each node is a group level (figure 5 elements 505, 506, and 507) and a top level is a root (figure 5 element 504), based on primary grouping criteria (col. 5 lines 66-67, language) and secondary grouping criteria (col. 5 lines 66-67, processor type) that correspond to selected computer profile data (figure 5 elements 502, 503) and “in the tree” (figure 5 element 501).

Both McCormack and Erickson are related in that both group devices together. For the above reasons, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erickson's disclosure above to the disclosure of McCormack in order to provide a system that allows a user to easily view different groups in a collapsible fashion.

Claim 8 :

McCormack discloses the following claimed limitations:

"Including, in the table, fields that correspond to a range of values for computer profile data that are selected as secondary grouping criteria to assign the computers to groups for profile data reporting, and including in the fields in respective table records high and low values for the secondary grouping computer profile data of interest, and"

McCormick discloses col. 8 lines 28-30, group filter criteria table. McCormick further discloses Col. 8 lines 34-36, The group filter criteria table has columns named group filter id, filter metadata id, group id, filter type, and filter value, col. 8 lines 65-67, using this structure, a user can establish a descriptive name for a group of devices, and persistently store either the members of the group, or information sufficient to dynamically construct the members of the group when the user desires to have a view of the group. Further disclosing col. 10 lines 51-55, limit the scope of the filters so that the result set or view is reasonable in size, finite, and rapidly assembled and Col. 17 lines 10-15, information about the devices in group is displayed to the user. Hence, McCormick suggests "Including, in the table, fields that correspond to a range of values for computer profile data that are selected as secondary grouping criteria to" (could be filter value and limits (range) are set for filters.) "assign the computers to groups for profile data reporting" (group is displayed to the user), and including in the fields in respective table records high and low values for the secondary grouping computer profile data of interest, and" (limits).

"For the profile data from a given computer further extracting data that correspond to the computer profile data selected for the secondary grouping criteria, further querying the table to determine if the further extracted data fall within the secondary grouping criteria ranges included in the table records, and if the query results in one table record, assigning the computer to the group that is named in the record, if the query results in multiple table records that include secondary low values, assigning the computer to the group that is named in the record that is in a second predetermined position in the order in which the records are returned, if the query results in no records, assigning the computer to a default group, or If the query results in multiple

records and there are no corresponding secondary low values in the records, assigning the computer to the group that is named in the record that is in a third predetermined position in the order in which the records are returned."

McCormick discloses Col. 12 lines 17-19, applies the query to the database, which stores a super set of network device information. Further disclosing col. 8 lines 59-67-col. 9 lines 1-5, user can establish a descriptive name for a group of devices and store members of the group. Hence McCormick suggest for the profile data from a given computer "Extracting the selected profile data that is utilized in the second grouping profile data of interest" (Col. 12 lines 17-19, applies the query to the database, which stores a super set of network device information), "Querying the table to determine if the extracted data fall within the ranges of values that are included in the primary grouping fields in any of the table records" (col. 12 lines 16-21, applies query. Col. 10 lines 50-55, limit scope of filters) and, "if the query results in one table record, assigning the computer to the group that is named in the record" (col. 8 lines 65-67, using this structure user can establish a descriptive name for a group of devices and persistently store the members of the group (i.e. assigns device to group)).

Claim 9 :

The combination of McCormick and Erickson disclose in McCormack "wherein the step of querying further includes determining if the extracted data corresponds to the primary grouping criteria and a secondary low value of NULL or the empty string" (col. 10 line 41, Null filter values are possible).

Claim 10 :

The combination of McCormick and Erickson disclose in McCormack "wherein the first predetermined position in the order of the records is the first record found and the second predetermined position in the order of records is the last record found" (col. 9 lines 50-60, col. 11 lines 18-29, figure 3 element 310. Accordingly, views are set up in positions where no filtered values are ordered last, not that .the first (row having cisco) contains all filtered values. After rows).

Claim 11 :

The combination of McCormick and Erickson disclose in McCormack "wherein the second predetermined position in the order of the records is the first record found and the third predetermined position in the order of records is the last record found" (col. 9 lines 50-60, col. 11 lines 18-29, figure 3 element 310. Accordingly, views are set up in positions where no filtered values are ordered last, not that the first (row having cisco) contains all filtered values. After rows).

Claim 12 :

McCormick discloses the following claimed limitations "and the selected values of one or both of the primary grouping criteria and the secondary grouping criteria are ranges between selected high and low values,"[col. 12 lines 6-24. Accordingly, the selected values of one or

both of the primary grouping criteria (device type) and the secondary grouping criteria (device descriptions) are ranges between selected high and low values (7300/7500, 10.3/11.1)]

“manipulating the database computer profile data and producing, for one or more selected group levels, profile reports that contain summaries of certain or all of the attributes of the computers that are included in a given group, level or below”[Figure 1 and 3. col. 16 lines 38-61. Accordingly, manipulating the database computer profile data (device data) and producing, for one or more selected group levels (device group), profile reports (reporting tasks) that contain summaries of certain or all of the attributes of the computers (figure 3) that are included in a given group, level or below (device group)]

McCormick does not explicitly disclose “grouping the plurality of computers in groups that are nodes of a multiple node tree in which each node is a group level and a top level is a root in accordance with user- specified primary grouping criteria and secondary grouping criteria that correspond to respective values of selected computer profile data” and “in the tree and in the groups in the subtree that has the given group as its root”

Erickson discloses grouping the plurality of computers in groups that are nodes of a multiple node tree (figure 5 element 501) in which each node is a group level (figure 5 elements 505, 506, 507) and a top level is a root (figure 5 element 504) in accordance with user- specified (col. 3 lines 52-56) primary grouping criteria (language) and secondary grouping criteria (processor type) that correspond to respective values of selected computer profile data (figure 5 502/503) and in the tree (figure 5 element 501) and in the groups in the subtree (figure 5 elements 505,506,507) that has the given group as its root (figure 5 element 504).

Both McCormack and Erickson are related in that both group devices together. For the above reasons, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erickson's disclosure above to the disclosure of McCormack in order to provide a system that allows a user to easily view different groups in a collapsible fashion.

Claim 13 :

The combination of McCormick and Erickson disclose in McCormack "wherein the step of grouping further includes re-grouping the plurality of computers in groups in accordance with different user-specified primary and secondary grouping criteria" (abstract, network devices that meet user-entered criteria).

Claim 14 :

The combination of McCormick and Erickson disclose in McCormack "wherein the step of grouping further includes grouping the plurality of computers in groups in accordance with primary and secondary grouping criteria that correspond to computer profile data that represents selected physical locations of users" (col. 10 line 61, Geographical location).

Claim 15 :

The combination of McCormick and Erickson disclose in McCormack "wherein the further step of grouping includes re-grouping the plurality of computers in groups in accordance with primary and secondary grouping criteria that correspond to computer profile data that represents selected structures within the underlying organization of users" (col. 10 line 62, name of individual responsible for device).

Claim 16 :

The combination of McCormick and Erickson disclose in McCormack "wherein the step of grouping further includes grouping computers in accordance with user-specified primary and secondary criteria that utilize ranges of values for the selected computer profile data" (col. 10 lines 51-55, limit the scope of the filters so that the result set or view is reasonable in size, finite, and rapidly assembled).

Claim 17 :

The combination of McCormick and Erickson disclose in McCormack " wherein the step of grouping further includes re-grouping the plurality of computers in groups in accordance with different user-specified ranges of values of the selected computer profile data" (col. 10 lines 51-55, limit the scope of the filters so that the result set or view is reasonable in size, finite, and rapidly assembled).

Claim 18 :

The combination of McCormick and Erickson disclose in McCormack "wherein the respective ranges of values correspond to a selected structure within the underlying organization of users" (col. 10 lines 51-55, limit the scope of the filters so that the result set or view is reasonable in size, finite, and rapidly assembled).

Claim 19 :

The combination of McCormick and Erickson disclose in McCormack "wherein the further step of grouping includes re-grouping the plurality of computers in groups in accordance with primary and secondary grouping criteria that correspond to other selected structures within the underlying organization of users" (col. 10 line 62, name of individual responsible for device).

Claim 20 :

McCormick discloses the following claimed limitations:

"a. collecting means for collecting profile data for a given computer into the database which is retained in computer storage media;"][col. 6 lines 44-45, the database manages data tables that store information collected from the network 108 and information needed by the filter mechanism to interpret the information collected from the network. Accordingly, a. collecting means for collecting profile data (device data) for a given computer into the database (database) which is retained in computer storage media (figure 6);]

“with the values associated with either or both of the primary grouping criteria and the secondary grouping criteria being ranges that extend between selected high and low values, the profile group manager maintaining the group information in computer storage media, and”[values associated with either or both of the primary grouping criteria and the secondary grouping criteria (col. 12 lines 6-24, device type/device description) being ranges that extend between selected high and low values (col. 12 lines 6-24, 7300/7500; 10.3/11.1), the profile group manager (figure 2 element 330, device group table) maintaining the group information (figure 2 element 330) in computer storage media (figure 6)]

“manipulating the data in the database to produce reports that summarize the attributes of the computers”[manipulating the data in the database (col. 6 lines 44-46, database manages data tables that store information ...needed by filter mechanism. Col. 16 lines 41-43, the filter mechanism is invoked to carry out device information filtering and to display an appropriate view) to produce reports (reporting tasks) that summarize the attributes of the computers (figure 3 element 310)]

“providing the reports to a user the various groups.”[figure 3]

McCormick does not explicitly disclose B. a profile group manager for grouping the computers into a specified tree-structure of groups in which each node of the tree is a group level and a top level is a root, based on primary and secondary grouping criteria that correspond to respective values of selected computer profile data with the values associated with either or both of the primary grouping criteria. And “a given group level and the levels below on the tree”

Erickson discloses a profile group manager for grouping the computers into a specified tree-structure of groups (figure 5 element 501) in which each node of the tree is a group level (figure 5 elements 505, 506, 507) and a top level is a root (figure 5 element 504) based on primary (language) and secondary grouping criteria (processor type) that correspond to respective values of selected computer profile data (figure 5 502/503) with the values (figure 5) associated with either or both the primary grouping criteria (language/processor type) and in the tree (figure 5 element 501) and in the groups in the subtree (figure 5 elements 505,506,507) that has the given group as its root (figure 5 element 504). Further disclosing a given group level and the levels below on the tree (figure 5 element 501).

Both McCormack and Erickson are related in that both group devices together. For the above reasons, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erickson's disclosure above to the disclosure of McCormack in order to provide a system that allows a user to easily view different groups in a collapsible fashion.

Claim 21 :

The combination of McCormick and Erickson disclose in McCormack "wherein the profile group manager

Adds a group mapping table to the database, the group mapping table including a primary grouping criteria field, a secondary grouping criteria field and a group identification field with

the respective table records containing primary grouping criteria and secondary grouping criteria and corresponding group information" (McCormick discloses col. 8 lines 28-30, group filter criteria table. McCormick further discloses Col. 8 lines 34-36, The group filter criteria table has columns named group filter id, filter metadata id, group id, filter type, and filter value, col. 8 lines 65-67, using this structure, a user can establish a descriptive name for a group of devices, and persistently store either the members of the group, or information sufficient to dynamically construct the members of the group when the user desires to have a view of the group.);

"Includes a given computer in a group by (i) extracting from the profile data the data that corresponds to the primary grouping criteria and the secondary grouping criteria," (Col. 12 lines 17-19, applies the query to the database, which stores a super set of network device information)

"(ii) querying the group mapping table for records that match the extracted data, and "(col. 12 lines 16-21, applies query)"(iii) assigning a computer to a group that is specified by the group identification field in a record that is determined to match the query" (col. 8 lines 65-67, using this structure user can establish a descriptive name for a group of devices and persistently store the members of the group (i.e. assigns device to group)).

Response to Arguments

8. Applicant's arguments filed 6/10/08 have been fully considered but they are not persuasive. Applicant's assert the following in regards to the cited references.

A. Remarks Page 10, that Erickson teaches a hierarchical tree structure, and thus also lacks a teaching of the multiple node tree structure set forth in the independent claims. McCormick also does not teach a multiple node tree structure for groups of computers.

In response, the examiner respectfully disagrees. The limitation of “a multiple node tree structure” is clearly met by a hierarchical tree structure. A hierarchical tree contains nodes as seen in figure 5.

B. Page 11, that the multiple node tree is a particular structure in which each node is a group level that is based on primary grouping criteria and secondary grouping criteria. And thus the tree is not a hierarchical tree structure.

In response, the examiner respectfully disagrees that a multiple node tree is not disclosed in the cited references. As seen in Erickson, figure 5, the hierarchical tree contains nodes in which are grouped by language and processor type. Accordingly, a primary grouping criteria is a language, and a secondary grouping is a processor type.

C. Page 11, that one or both the primary grouping criteria and secondary grouping criteria consist of ranges of values of selected computer profile data.

In response, the examiner respectfully disagrees that ranges of values are not disclosed in the references. McCormick discloses ranges of values of selected computer profile data as a selection of computer data.

D. Page 11-12, that Erickson's Hierarchical tree are groups based on a single feature.

In response, the examiner disagrees. The groups are based on double feature as they are grouped in respect to language and processor type.

E. Page 12, the tree of claim 1 is uncluttered, while Erickson's tree is.

In response, the examiner disagrees. The tree and it's nodes described in figure 5 can be seen clearly, and is therefore not cluttered.

F. Page 12-13, that McCormick and Erickson does not teach or suggest producing the particular reports set fourth in claim 1, that is, reports for a selected group level include summaries of the attributes of the computers that are in that group level and below in the tree structure.

In response, the examiner disagrees. McCormick discloses reports for a selected group level include summaries of the attributes of the computers that are in that group level and below in figure 3 element 310. Erickson discloses in the tree structure as seen in figure 5.

G. Page 13, that there is no teaching or suggestion from the combination that produces a report for a selected group level that includes summaries of the attributes of computers in the group level and below on the tree.

Please see F.

H. Page 14, that McCormick and Erickson do not teach or suggest using primary and secondary criteria for a given group level or node on a multiple node tree.

In response, the examiner respectfully disagrees. Erickson uses a primary and secondary criteria for a given group level or node on a multiple node tree as seen in figure 5. McCormick discloses using primary and secondary criteria for a given group level on col. 12 lines 6-24.

I. Page 14, that the combination does not teach or suggest the particular tree structure, particular reports, or assignment of a computer to a group level based on presence or absence of secondary low values retrieved from a database table.

In response, the examiner respectfully disagrees. Both Erickson and McCormick disclose particular reports and assignment of computers to a group level. Erickson teaches a particular tree structure as seen in figure 5. McCormick teaches secondary low values (col. 12 lines 6-24) retrieved from a database table, Col. 12 lines 17-19. The combination therefore discloses the

asserted particular tree structure, particular reports, or assignment of a computer to a group level based on presence or absence of secondary low values retrieved from a database table.

J. In regards to claim 7 and on page 15, that the combination does not teach or suggest the particular multiple node tree structure based on primary grouping criteria that correspond to ranges of values of computer profile data, that is, ranges that extend between selected high and low values of the computer profile data.

In response the examiner respectfully disagrees. McCormick discloses ranges of values of computer profile data, that is, ranges that extend between selected high and low values of the computer profile data as seen in col. 12 lines 6-24.

Erickson teaches grouping computers into a multiple node tree structure based on primary grouping criteria that correspond to a range of values as seen in figure 5. For example the a primary grouping criteria that corresponds to a range of values is indicated by what language.

The combination therefore discloses the asserted multiple node tree structure based on primary grouping criteria that correspond to ranges of values of computer profile data, that is, ranges that extend between selected high and low values of the computer profile data.

K. Page 15, that there is no teaching or suggestion of producing reports that summarize the attributes of computers in a selected group level and below on the multiple node tree. There is no teaching or suggestion in the combination of how to group computers that meet the primary

grouping criteria that is, fall within ranges of values for selected computer profile data, of more than one group, as is set forth in claim 7.

In response the examiner respectfully disagrees. Producing reports that summarize the attributes of computers in a selected group level and below is disclosed in col. 12 lines 6-24 and figure 3 element 310 of McCormick. Erickson discloses the multiple node tree in figure 5. Therefore, the combination discloses the asserted producing reports that summarize the attributes of computers in a selected group level and below on the multiple node tree.

In response to how to group computers that meet the primary grouping criteria, that is, fall within ranges of values for selected computer profile data, of more than one group. The examiner disagrees that this is not taught by the combination. As seen in McCormick, see col. 8 lines 59-67 to col. 9 lines 1-2. Matching the group ID and filter metadata ID values is considered to be falling within ranges of values for selected computer profile data in order to provide how to group computers that meet the primary grouping criteria.

L. Page 15, that determining the particular multiple node tree structure or the steps of assigning a computer to a group based on ranges of values of primary grouping criteria, and producing the particular reports that are based on the tree structure is not disclosed.

In response, the examiner respectfully disagrees. McCormick discloses assigning a computer to a group based on ranges of values of primary grouping criteria in at least col. 8 lines 59-67 as a group id and producing the particular reports in figure 3 element 310. Erickson

discloses the particular multiple node tree structure, and reports that are based on the tree structure, see figure 5.

Conclusion

9. The prior art made of record listed on pto-892 and not relied, if any, upon is considered pertinent to applicant's disclosure.

10. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL PHAM whose telephone number is (571)272-3924. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. P./
Examiner, Art Unit 2167

/Luke S. Wassum/
Primary Examiner, Art Unit 2167